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October 12, 2006

VIA E-File

The Honorable Chief Judge Sue L. Robinson
U.S. District Court
District of Delaware
844 North King Street
Lock Box 31
Wilmington, DE 19801

Re: Miriam Hyman v. Child, Inc.
C. A. No.: 06-227 SLR
Our File No.: 01124-00101

Dear Judge Robinson:

The undersigned attorney represents defendant, Child, Inc., and plaintiff is represented by R. Stokes Nolte, Esquire in the above referenced matter. On behalf of the parties, I enclose a proposed form of Scheduling Order in conjunction with the telephone Scheduling Conference to be held on Friday, October 13, 2006 at 8:30 a.m.

The parties thank Your Honor for consideration of this matter.

Respectfully Submitted,

/s/ Kevin J. Connors

Kevin J. Connors

KJC/vll
Enclosure

Cc: R. Stokes Nolte, Esquire – w/enclosure
Dr. Peter T. Dalleo, Clerk of the Court – w/enclosure

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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

Miriam Hyman,)	
)	
Plaintiff,)	C.A. No. 06-227-SLR
)	
v.)	TRIAL BY JURY
)	DEMANDED
Child, Inc.,)	
)	
Defendant.)	

O R D E R

At Wilmington this 13th day of October 2006, the parties having satisfied their obligations under Fed. R. Civ. P. 26(f), and the Court having conducted a pretrial scheduling conference pursuant to Fed. R. Civ. P. 16 and D. Del. LR 16.2(a) and (b).

IT IS ORDERED that:

1. **Pre-Discovery Disclosures.** The parties will exchange by October 20, 2006, if they have not already done so, the information required by Fed. R. Civ. P. 26(a) (1) and D. Del. LR 16.2.

2. **Discovery.**

(a) Discovery will be needed on the following subjects: (brief description of subjects on which discovery will be needed).

1. Nature and scope of plaintiff's employment and job duties;
2. Reasons for plaintiff's discharge;
3. Nature and extent of plaintiff's alleged damages; and
4. Factual bases for plaintiff's claims of discrimination, breach of contract and breach of standard of good faith and fair dealing and defendant's affirmative defenses, as necessary.

(b) All discovery shall be commenced in time to be completed by July 15, 2007.

(c) Maximum of 50 interrogatories by each party to any other party.

(d) Maximum of 30 requests or admission by each party to any other party.

(e) Maximum of 8 depositions by plaintiff and 8 by defendant.

(f) Each deposition limited to a maximum of six (6) hours unless extended by agreement of parties.

(g) Reports from retained experts under Rule 26(a) (2) on issues for which any party has the burden of proof due by 5/15/07. Rebuttal expert reports due by 6/29/07.

(h) **Discovery Disputes.** Any discovery dispute shall be submitted to the court pursuant to Fed. R. Civ. P. 37. During the course of discovery, each party is limited to **two (2)** Rule 37 motions. The court shall make itself available, however, to resolve through a telephone conference, disputes that arise during the course of a deposition and disputes related to entry of a protective order.

3. Joinder of other Parties, Amendment of Pleadings, and Class Certification. All motions to join other parties, amend the pleadings, and certify a class action shall be filed on or before October 31, 2006.

4. Settlement Conference. Pursuant to 28 D.S.C. § 636, this matter is referred to Magistrate Judge Thyng for the purposes of exploring ADR.

5. Summary Judgment Motions. All summary judgment motions shall be served and filed with an opening brief on or before September 14, 2007. Briefing shall be pursuant to D. Del. LR 7.1.2. No summary judgment motion may be filed more than ten (10) days from the above date without leave of the court.

6. Applications by Motion. Any application to the court shall be by written motion filed with the clerk. Unless otherwise requested by the court, counsel shall not deliver copies of papers or correspondence to chambers. **Any non-dispositive motion shall contain the statement required by D. Del. LR 7.1.1.**

7. **Motions in Limine.** All motions in limine shall be filed on or before [**two weeks before pretrial conference**]. All responses to said motions shall be filed on or before [**one week before pretrial conference**].

8. **Pretrial Conference.** A pretrial conference will be held on _____ at _____ in courtroom 6B, sixth floor Federal Building, 844 King Street, Wilmington, Delaware. The Federal Rules of Civil Procedure and D. Del. LR 16.4 shall govern the pretrial conference.

9. **Trial.** This matter is scheduled for a [day/week] bench/jury trial commencing on _____ in courtroom 6B, sixth floor Federal Building, 844 King Street, Wilmington, Delaware. For purposes of completing pretrial preparations, the parties should plan on being allocated a total number of hours in which to present their respective cases.

United States District Judge

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